HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.19989 of 2006

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Between:

Dr. Ramamurthy Nagubadi and others. …Petitioners.

And

Government of Andhra Pradesh,
represented by its Secretary,
Revenue Department,
Secretariat, Hyderabad and others. ….Respondents.

:: O R D E R ::

Counsel for the petitioners : Sri P. Venugopal

Counsel for respondent No.1 : Sri J. Sudheer,
Special Government Pleader

Counsel for respondent Nos.2 and 4 : Sri C.V. Mohan Reddy,
Senior Advocate and Advocate General, assisted by Sri P. Rajagopala Rao.

Counsel for respondent No.3 : Sri T. Niranjan Reddy

13th March, 2007

Per G.S. SINGHVI, C.J.

In this petition, the petitioners have prayed for quashing notification dated 13-12-2005 and declaration dated 14-8-2006 issued by the Project Director, Outer Ring Road and Special Collector (L.A.), Hyderabad Urban Development Authority (respondent No.2) under Section 4(1) and Section 6 of the Land Acquisition Act, 1894 respectively.

Arguments in this case were heard on 6-3-2007, but the same could not be concluded because Sri P. Rajagopala Rao, leaned counsel for respondent Nos.2 and 4 did not have the relevant records. After taking cognizance of the embarrassing position in which Sri P. Rajagopala Rao was placed, we adjourned the case for today with a direction that the relevant records be kept ready and the officer concerned should appear in person.

In compliance of the Court's direction, Sri Peeyush Kumar has appeared and expressed regrets for non-appearance of the officer in-charge of the case on the previous date of hearing. Simultaneously, he assured that in future, in all cases involving challenge to the acquisition of land for Outer Ring Road, a responsible officer would remain present in the Court to assist the counsel.

We accept the statement of Sri Peeyush Kumar.

Sri C.V. Mohan Reddy placed before us consent affidavits dated 26-2-2007 given by the petitioners, whereby they unequivocally agreed to take compensation in lieu of acquisition of their land. Sri P. Rajagopala Rao, learned counsel assisting Sri C.V. Mohan Reddy, has made available xerox copies of the affidavits to the Court Officer.

Sri P. Venugopal, learned counsel for the petitioners made a

feeble attempt to persuade us to ignore the affidavits by saying that the same were signed by his clients under coercion and without prejudice to their right to pursue the challenge to notification dated 13-112-2005. is directed to file xerox copies of the affidavits today in the Registry.

We have carefully gone through the affidavits produced by Sri C.V. Mohan Reddy and are convinced that the petitioners had voluntarily signed them and agreed to take compensation offered by the official respondents. Therefore, there can be no justification to entertain their prayer for quashing the notifications impugned in the writ petition.

With the above observations, the writ petition is disposed of as infructuous.

As a sequel to dismissal of the writ petition, WPMP.Nos.25233, 25531, 30592 of 2006 and 6508 of 2007 are disposed of as infructuous and the interim order is vacated.

G.S.SINGHVI, C.J.

13th March, 2007.

C.V.NAGARJUNA REDDY, J.

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